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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN STEAMSHIP OWNERS MUTUAL
PROTECTION AND INDEMNITY ASSOCIATION, INC.,

Plaintiff,

-against-

ALCOA STEAMSHIP CO., INC., et al.,

Defendants.

04 Civ. 04309 (LAK) (FM)

(ECF CASE)

INITIAL DISCLOSURES

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, Defendant Tecomar, S.A. (currently known as Tecomar, S.A. de C.V.), by its attorney Proskauer Rose LLP, submits its initial disclosures to Plaintiff American Steamship Owners Mutual Protection and Indemnity Association, Inc. (the “Club” or the “AC”).

These disclosures are based upon information readily available to Tecomar, S.A. By making these disclosures, Tecomar, S.A. does not waive its right to object to the production of or the introduction into evidence of any document or tangible thing on the basis of any privilege, the work product doctrine, relevancy, undue burden, or any other applicable objection. Tecomar, S.A. reserves the right to rely upon any documents and testimony disclosed during the course of discovery by the Club or any third party, as well as documents later discovered by Tecomar, S.A. Pursuant to Rule 26(e) of the Federal Rules of Civil

Procedure, Tecomar, S.A. reserves the right to supplement the following initial disclosures as necessary with additional information obtained in the course of discovery.

1. **Individuals Likely to Have Discoverable Information:** The following individuals are current employees and may only be contacted through counsel for the defendant:
 - a. Silverio Di Costanzo Pérez: Maritime Specialized Transport Director of Grupo TMM, S.A.; may have knowledge of coverage under AC Policies and claims submitted to AC.
 - b. R. Luis Ocejó Rodriguez: Technical Fleet Management Director of Grupo TMM, S.A.; may have knowledge of coverage under AC Policies and claims submitted to AC.

2. **Potentially Relevant Documents in the Custody or Control of Defendant**

Copies of potentially relevant documents are being identified and duplicated and will be produced on a rolling basis to the extent such documents are not otherwise protected from disclosure by the attorney/client, work product and/or other applicable privileges.

3. **Computation of Damages**

The computation of damages is yet to be determined. Documents or other evidentiary material potentially relevant to the computation of damages and not privileged or otherwise protected from disclosure are being identified and will be produced on a rolling basis.

4. **Applicable Insurance Agreements which may Satisfy Part of All of any Judgment Entered in this Action or to Indemnify or Reimburse for Payments Made to Satisfy the Judgment**

Defendant is unaware of any agreement required to be disclosed pursuant to Rule 26(a)(1)(D) of the Federal Rules of Civil Procedure.

Dated: February 18, 2005
New York, NY

PROSKAUER ROSE LLP

By: /s/ Dale A. Schreiber
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